ANTI-DUMPING LEGISLATION OF SPAIN

Addendum

The following Decree No. 3529/1970, which complements the text contained in document L/3932, has been received from the permanent mission of Spain.

Decree 3529/1970 of 12 November Amending the Provisions Relating to Imports at Abnormal Prices

(Text in the B.O.E. of 15/XII/70, as amended in B.O.E. of 24/XII/70)

Decree two thousand eight hundred and seventy-one/one thousand nine hundred and sixty-three of fourteenth November established the Interministerial Committee on Valuation of Imports at abnormal prices.

On the basis of the experience acquired during the first two years of its operation and likewise in order to harmonize the said legal text with Decree one thousand seven hundred and nineteen/one thousand nine hundred and sixty-four of twenty-seventh May relating to anti-dumping and countervailing duties, Decree three thousand six hundred and sixty-five/one thousand nine hundred and sixty-five of ninth December was promulgated whereby the provisions relating to imports at abnormal prices were amended.

Spain having accepted the Agreement on implementation of Article VI of the GATT (Anti-Dumping Code) by virtue of the Agreement with the EEC of twenty-ninth June of the present year and the procedural rules for the establishment of anti-dumping and countervailing duties having been approved under Decree three thousand five hundred and nineteen/one thousand nine hundred and seventy, it is necessary to amend Decree three thousand six hundred and sixty-five/one thousand nine hundred and sixty-five of ninth December governing the Interministerial Committee on Valuation of Imports at abnormal prices, which shall henceforth be called the Interministerial Valuation Committee.
Accordingly, on the proposal of the Ministers of Finance and of Commerce and after consideration by the Council of Ministers at its meeting of sixth November one thousand nine hundred and seventy,

I HEREBY DECIDE AS FOLLOWS:

Article 1. The Interministerial Valuation Committee shall act as an advisory body responsible to the Minister of Commerce. It shall operate without prejudice to the functions of management, inspection and verification pertaining to the Ministry of Finance in customs matters.

Article 2. Membership: The Committee shall be composed as follows:

Chairman: The Under-Secretary for Trade

Members:

- The Director-General for Tariff Policy and Imports
- The Director-General of Customs
- One representative each of the Ministries of Finance, Agriculture, Industry and Commerce


The Chairman may delegate his powers to the Director-General for Tariff Policy and Imports. Similarly, the Directors-General who are members of the Committee may delegate their powers to technical officials in their Departments.

For the purposes of the provisions of Articles 5 and 7 of Decree three thousand five hundred and nineteen/one thousand nine hundred and seventy governing the procedural rules for the establishment of anti-dumping and countervailing duties and in order to ensure that the procedure shall take place as expeditiously as possible, the Committee may appoint commissions composed of representatives of the Ministries of Finance and Commerce, the Department concerned with the affected sector and the Trades Union Organization.

Article 3. Functions: Its functions shall be the following:

(a) those that are entrusted to it under Decree three thousand five hundred and nineteen/one thousand nine hundred and seventy of twelth November prescribing the procedural rules for the establishment of anti-dumping and countervailing duties;
(b) to assemble and compile data and information of all kinds on the
domestic and foreign prices of the various types of goods entering into
foreign trade;

(c) to carry out studies on imports with abnormal values;

(d) to carry out all such other work as it may consider relevant to the
performance of its functions.

Article 4. So far as its internal working and the responsibilities of its
members are concerned, the Committee shall act in conformity with the provisions
relating to associated bodies in the relevant articles of the Act on
Administrative Procedure of seventeenth July one thousand nine hundred and
fifty-eight.

Article 5. The Ministries of Finance and Commerce shall be empowered, each
within its respective field of responsibility, to prescribe complementary
provisions for the implementation of the present Decree.

Article 6. Decree three thousand six hundred and sixty-five/one thousand
nine hundred and sixty-five of ninth December, the Presidential Order of
twenty-first March one thousand nine hundred and sixty-four prescribing rules to
govern the activities of the Interministerial Committee on Valuation of Imports
at abnormal prices, and any other provisions inconsistent with the present Decree
are hereby rescinded.

Article 7. The present Decree shall enter into force on the day following
its publication in the "Boletín Oficial del Estado".

I so decide by the present Decree done at Madrid on twelfth November one
thousand nine hundred and seventy.

FRANCISCO FRANCO

The Vice-President of the Government

LUIS CARRERO BLANCO